

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

GEA MECHANICAL EQUIPMENT US,
INC.,

Plaintiff,

v.

FIRST STATE INSURANCE COMPANY,
HARTFORD ACCIDENT AND
INDEMNITY COMPANY, HARTFORD
FIRE INSURANCE COMPANY,
WELLFLEET NEW YORK INSURANCE
COMPANY (successor to ATLANTA
INTERNATIONAL INSURANCE
COMPANY), and CONTINENTAL
INSURANCE COMPANY,

Defendants.

Case No. 2:20-cv-09741 (BRM) (ESK)

ORDER

THIS MATTER is opened to the Court on Plaintiff GEA Mechanical Equipment US, Inc.’s (“GEA Mechanical”) Motion for Summary Judgment (ECF No. 57) pursuant to Federal Rule of Civil Procedure 56. Defendants Hartford Accident and Indemnity Company, Hartford Fire Insurance Company, First State Insurance Company (collectively “Hartford”) the Continental Insurance Company (“Continental”), and Wellfleet New York Insurance Company, as successor to Atlanta International Insurance Company’s (“AIIC”) (together, with Hartford and Continental, “Defendants”) jointly-filed an Opposition and Cross-Motion for Summary Judgment pursuant to Federal Rule of Civil Procedure 56. (ECF No. 58). GEA Mechanical filed an Opposition to Defendants’ Motion and Reply in further support of its Motion. (ECF No. 59.) Defendants also filed a Reply in further support of their Motion. (ECF No. 60.) Having reviewed the submissions filed in connection with the motions and having declined to hold oral argument pursuant to Federal

Rule of Civil Procedure 78(b), for the reasons set forth in the accompanying Opinion and for good cause having been shown,

IT IS on this 11th day of May 2023,

ORDERED that GEA Mechanical's Motion for Summary Judgment (ECF No. 57) is **DENIED** and Defendants' Motion for Summary Judgment (ECF No. 58) is **GRANTED**. This matter can be marked **CLOSED**.

/s/ *Brian R. Martinotti*
HON. BRIAN R. MARTINOTTI
UNITED STATES DISTRICT JUDGE